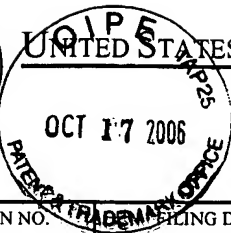# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,007	03/22/2004	Dale T. Platteter	D/A1554	1186

7590 10/05/2006	EXAMINER
Gregory P. Gadson, Esq.	TRUONG, LOAN
Gonzalez, Saggio & Harlan, L.L.P.	

ART UNIT	PAPER NUMBER
2114	

Suite 1900
201 North Street
Indianapolis, IN 46204

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/806,007	PLATTETER, DALE T.
	Examiner	Art Unit	
	LOAN TRUONG	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 March 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 March 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1.   Claims 1-5, 8, 11-13 and 16 are rejected under 35 U.S.C. 102(a) as being anticipated by

Mitchell et al. (US 6,628,304).

In regard to claim 1, Mitchell et al. disclosed a diagnostic method for performing

diagnostics in a system adapted to receive modular components comprising:

a) graphically displaying a hierarchical representation of system components and modular

add-on components (*graphically view a network in real time, fig. 3, 201, col. 13 lines 21-28)*;

b) detecting the modular components coupled to the system (*detailed view of the regional*

network, fig. 1, 111, col. 7 lines 20-43);

c) dynamically requesting and receiving the electrical control topology and fault status of

each coupled modular component (*network administrator can select the node in the hierarchy*

having a flashing or highlighted data link, fig. 5, col. 13 lines 8-14); and

d) dynamically integrating the electrical control topology and fault status of each coupled

modular component into the display of a) (*graphically view a network in real time, fig. 3, 201,*

col. 13 lines 21-28).

In regard to claim 2, Mitchell disclosed a diagnostic method for diagnosing post-manufacture modular add-on components coupled to a system, said method comprising:

a) dynamically retrieving control system topology information not stored at the time of manufacture pertaining to a module chosen for a system graphical display (*graphically view a network in real time, fig. 3, 201, col. 13 lines 21-28*);

b) via each module, generating diagnostic information about the components of a module (*detailed view of the regional network, fig. 1, 111, col. 7 lines 20-43*);

c) dynamically retrieving module diagnostic information pertaining to a module chosen for a system graphical display (*network administrator can select the node in the hierarchy having a flashing or highlighted data link, fig. 5, col. 13 lines 8-14*);

d) hierarchically displaying the component levels of the module chosen for graphical display (*graphically view a network in real time, fig. 3, 201, col. 13 lines 21-28*);

e) providing a link between the component levels (*GUI includes a top node and seven child node, each child nodes is hierarchically related and couple to the top node, col. 8 lines 19-35*); and

f) indicating the diagnostic status of a displayed component level (*flashing or highlighted data link or indicated in red for device with error, col. 13 lines 8-14*).

In regard to claim 3, Mitchell et al. disclosed the method of claim 1, wherein a fault condition in a component of a module is indicated in the highest hierarchical level pertaining to the module (*propagate the error condition up to the top level of the hierarchy, fig. 3, col. 12 lines*

62-67).

In regard to claim 4, Mitchell et al. disclosed the method of claim 1, wherein for all levels lower than the highest level, all components of a level are controlled by the immediate highest level (*at each level, the network administrator can select the node that is linked to the next higher node in the hierarchy having a flashing or highlighted data link, col. 13 lines 8-11).*

In regard to claim 5, Mitchell et al. disclosed the method of claim 1, wherein a lower level is displayed by activating a pointer on the immediately higher level (*node 211 has its direct child nodes as well as its grand-child nodes, col. 11 lines 12-15).*

In regard to claim 8, Mitchell et al. disclosed the method of claim 1, wherein a fault condition in a component of a module is indicated by color-coded indicia in the highest hierarchical level pertaining to the module (*the color of nodes on GUI can be altered accordingly, based on the RMON error and on threshold setting in effect, col. 13 lines 30-32).*

In regard to claim 11, Mitchell et al. disclosed the method of claim 2, wherein a fault condition in a component of a module is indicated in the highest hierarchical level pertaining to the module (*propagate the error condition up to the top level of the hierarchy, fig. 3, col. 12 lines 62-67).*

In regard to claim 12, Mitchell et al. disclosed the method of claim 2, wherein for all

levels lower than the highest level, all components of a level are controlled by the immediate

highest level (*at each level, the network administrator can select the node that is linked to the*

next higher node in the hierarchy having a flashing or highlighted data link, col. 13 lines 8-11).

In regard to claim 13, Mitchell et al. disclosed the method of claim 2, wherein a lower

level is displayed by activating a pointer on the immediately higher level (*node 211 has its direct*

child nodes as well as its grand-child nodes, col. 11 lines 12-15).

In regard to claim 16, Mitchell et al. disclosed the method of claim 2, wherein a fault

condition in a component of a module is indicated by color-coded indicia in the highest

hierarchical level pertaining to the module (*the color of nodes on GUI can be altered*

accordingly, based on the RMON error and on threshold setting in effect, col. 13 lines 30-32).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

2.   Claims 6-7, 9-10, 14-15 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. (US 6,628,304) in further view of Igarashi et al. (US 2003/0061322).

In regard to claim 6, Mitchell et al. does not teach the method of claim 1, further comprising: maintaining a count of each time the fault status of a component in a module changes; and displaying said count.

Igarashi et al. teach the method of network data base control device wherein an error count displays a count of errors currently occurring (*paragraph 0816*). Furthermore, Error Information Dialog Box display detailed information on a plurality of errors currently occurring in a device selected by the user (*paragraph 0821*).

It would have been obvious to modify the method of Mitchell et al. by adding Igarashi et al. method of network data base control device. A person of ordinary skill in the art at the time of applicant's invention would have been motivated to make the modification because it would help managed large-scale complex LAN and large mutually interconnected LAN groups (*paragraph 0004*). .

In regard to claim 7, Mitchell et al. does not teach the method of claim 1, further comprising: automatically performing c) and d) at predefined intervals.

Igarashi et al. teach the method of network data base control device wherein the printer status which occasionally changes over time is monitored and a decision made whether or not to automatically update the currently specified sheet information (*paragraph 0735*).

Refer to claim 6 for motivational statement.

In regard to claim 9, Mitchell et al. does not teach the method of claim 1, wherein said system is an image reproduction system.

Igarashi et al. teach the method of network data base control device implementing a printserver (*fig. 1, 108*).

Refer to claim 6 for motivational statement.

In regard to claim 10, Mitchell et al. does not teach the method of claim 1, wherein said system comprises the print engine of an image reproduction machine.

Igarashi et al. teach the method of network data base control device implementing a printserver (*fig. 1, 108*).

Refer to claim 6 for motivational statement.

In regard to claim 14, Mitchell et al. does not teach the method of claim 2, further comprising: maintaining a count of each time the fault status of a component in a module changes; and displaying said count.

Igarashi et al. teach the method of network data base control device wherein an

error count displays a count of errors currently occurring (*paragraph 0816*).

Furthermore, Error Information Dialog Box display detailed information on a plurality of

errors currently occurring in a device selected by the user (*paragraph 0821*).

Refer to claim 6 for motivational statement.

In regard to claim 15, Mitchell et al. does not teach the method of claim 2, further

comprising: automatically performing a) and f) at predefined intervals.

Igarashi et al. teach the method of network data base control device wherein the

printer status which occasionally changes over time is monitored and a decision made

whether or not to automatically update the currently specified sheet information

(*paragraph 0735*).

Refer to claim 6 for motivational statement.

In regard to claim 17, Mitchell et al. does not teach the method of claim 2, wherein said

system is an image reproduction system.

Igarashi et al. teach the method of network data base control device implementing

a printserver (*fig. 1, 108*).

Refer to claim 6 for motivational statement.

In regard to claim 18, Mitchell et al. does not teach the method of claim 2, wherein said

system comprises the print engine of an image reproduction machine.

Igarashi et al. teach the method of network data base control device implementing

a printserver (*fig. 1, 108*).

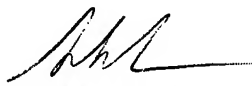Refer to claim 6 for motivational statement.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's
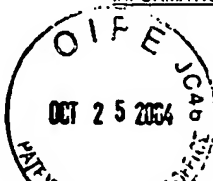
disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Loan Truong whose telephone number is (571) 272-2572. The

examiner can normally be reached on M-F from 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Loan Truong
Patent Examiner
AU 2114

SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	MMB DOCKET NO. D/A1554 (1776-0029)	APPLICATION NO. 10/806,007
	APPLICANT(S): Dale T. Platteter	
	FILING DATE: March 22, 2004	GROUP ART UNIT: 2113

(Stamp: OIFE JC40 OCT 2 5 2004 PATENT)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
LT	AA	5,533,193	07/02/1996	Roscoe			
	AB	5,768,495	06/16/1998	Campbell et al.			
	AC	6,049,764	04/11/2000	Stahl			
	AD	6,353,899	03/05/2002	Martin et al.			
	AE	6,584,430	06/24/2003	Rosenbaum et al.			
	AF	6,782,345	08/24/2004	Siegel et al.			
	AG	6,782,495	08/24/2004	Bernklau-Halvor			
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AQ	1	
	AR	1	
	AS	1	

EXAMINER /Loan Truong/	DATE CONSIDERED 09/26/2006

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,615,372	09-2003	Wang, James	714/46
*	B	US-7,010,718	03-2006	Ogawa et al.	714/4
*	C	US-2003/0028823	02-2003	Kallela et al.	714/26
*	D	US-7,051,243	05-2006	Helgren et al.	714/48
*	E	US-6,049,764	04-2000	Stahl, Douglas C.	702/183
*	F	US-7,073,093	07-2006	Mannarsamy, Hariharakrishnan	714/25
*	G	US-2004/0128669	07-2004	Furst et al.	717/178
*	H	US-2003/0009253	01-2003	McIntyre et al.	700/108
*	I	US-2005/0108375	05-2005	Hallak-Stamler, Michele	709/223
*	J	US-2003/0009553	01-2003	Benfield et al.	709/224
*	K	US-2002/0112067	08-2002	Chang et al.	709/232
*	L	US-2002/0064149	05-2002	Elliott et al.	370/352
*	M	US-6,728,214	04-2004	Hao et al.	370/241

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
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	S					
	T					

NON-PATENT DOCUMENTS

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	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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		Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited		10/806,007	PLATTETER, DALE T.
		Examiner	Art Unit	
		LOAN TRUONG	2114	Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,691,249	02-2004	Barford et al.	714/25
*	B	US-2003/0084076	05-2003	Sekiguchi et al.	707/205
*	C	US-6,477,572	11-2002	Elderton et al.	709/224
*	D	US-6,335,927	01-2002	Elliott et al.	370/352
*	E	US-2002/0113816	08-2002	MITCHELL et al.	345/734
*	F	US-6,628,304	09-2003	Mitchell et al.	715/734
*	G	US-2003/0177353	09-2003	Hiltgen, Alain P.	713/161
*	H	US-2003/0061322	03-2003	IGARASHI et al.	709/223
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

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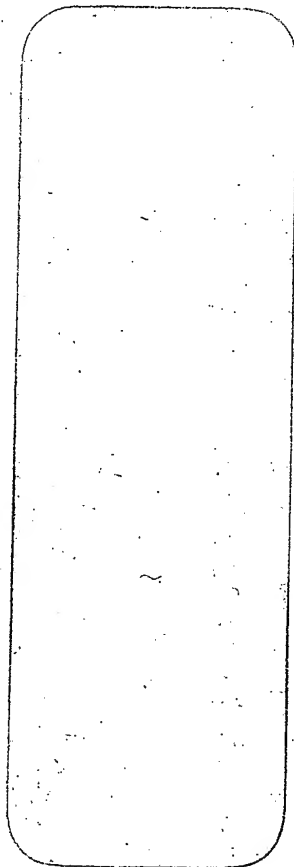AN EQUAL OPPORTUNITY EMPLOYER

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